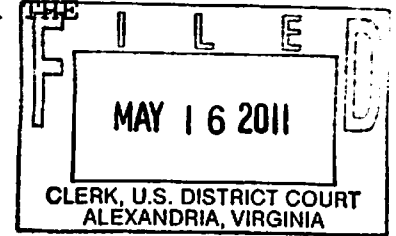


IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA  
Alexandria Division



AUTOMOTIVE FINANCE CORP.                     )  
   )  
                  Plaintiff,                             )  
   )  
                  v.                                     ) 1:10cv1407 (LMB/TRJ)  
   )  
                  EEE AUTO SALES, INC., et al.,     )  
   )  
                  Defendants.                            )

ORDER

For the reasons stated in open court, plaintiff's Motion to Strike Affirmative Defenses and for Protective Order [Dkt. No. 48] is GRANTED IN PART as to the affirmative defenses, and referred back to the magistrate judge as to the protective order, and it is hereby

ORDERED that all of defendants' affirmative defenses asserted in their Amended Answer [Dkt. No. 44] be and are STRICKEN, with the exception of the Eleventh Defense, dealing with the amount of damages and failure to mitigate damages, and any portions of the First and Thirteenth Defenses that similarly deal with mitigation or allege that plaintiff's actions or business decisions were a superseding, intervening cause of any losses; and it is further

ORDERED that the jury demand and prayer for attorneys' fees in defendant's Amended Answer be and are STRICKEN.

The Clerk is directed to forward copies of this Order to counsel of record.

Entered this 16<sup>th</sup> day of May, 2011.

Alexandria, Virginia

1s/ Leonie M. Brinkema  
Leonie M. Brinkema  
United States District Judge